

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

KATRINA MACKLEY, as next friend for E.M.,  
a minor,

Plaintiff,

v.

MASON PUBLIC SCHOOL DISTRICT; LANCE  
DELBRIDGE; NICHOLAS TOODZIO; BARB  
BYRUM and BRAD DELANEY, individually,

Defendants.

Case No. 1:24-cv-00076-RJJ-SJB

Hon. Robert J. Jonker

Mag. Sally J. Berens

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**DEFENDANTS BRYUM AND DELANEY’S  
RULE 12(b)(6) MOTION TO DISMISS**

Defendants Barb Byrum and Brad Delaney (Defendants) hereby move, pursuant to Federal Rule of Civil Procedure 12(b)(6) and for the reasons set forth in their accompanying brief, for dismissal of Counts III and IV of the Complaint as against them with prejudice. Counsel for Defendants sought Plaintiff’s concurrence in this motion pursuant to Local Rule 7.1(d)(i). Plaintiff intends to oppose this motion.

Date: February 13, 2024

By: \_\_\_\_\_s/Uri Abt\_\_\_\_\_

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